

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROMAN SUNDAY,

Petitioner,

v.

D. K. SISTO, Warden,

Respondent.

No. C 07-05308 SBA (PR)

**ORDER GRANTING FOURTH  
EXTENSION OF TIME FOR  
PETITIONER TO FILE OPPOSITION  
TO MOTION TO DISMISS**

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus. The Court directed Respondent to file an answer to the petition and granted Petitioner leave to file a traverse within thirty days after the answer was filed. In lieu of filing an answer, Respondent has filed a motion to dismiss. Petitioner has not filed an opposition to the motion to dismiss.

Accordingly, the Court on its own motion GRANTS Petitioner a fourth extension of time in which to file his opposition to Respondent's motion to dismiss. The time in which Petitioner may file his opposition to Respondent's motion to dismiss will be extended up to and including **September 7, 2009**. Respondent shall file a reply brief no later than **fifteen (15) days** after the date Petitioner's opposition is filed. No further extensions of time will be granted in this case absent exigent circumstances.

IT IS SO ORDERED.

DATED: 8/14/09

*Saundra B. Armstrong*  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE